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5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
7 SAN FRANCISCO DIVISION

8 IN RE: CATHODE RAY TUBE (CRT)
9 ANTITRUST LITIGATION,

Case No. 07-cv-5944 SC

MDL No. 1917

10 This document relates to:

11 ALL INDIRECT-PURCHASER ACTIONS

12 *Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.,*
13 *No. 11-cv-05513;*

14 *Electrograph Sys., Inc., et al. v. Hitachi, Ltd., et*
15 *al., No. 11-cv-01656;*

16 *Sears, Roebuck & Co., et al. v. Chunghwa*
17 *Picture Tubes, Ltd., et al., No. 11-cv-05514;*

18 *Target Corp. v. Chunghwa Picture Tubes, Ltd.,*
19 *et al., No. 11-cv-05514;*

20 *Tech Data Corp., et al. v. Hitachi, Ltd., et al.,*
21 *No. 13-cv-00157;*

22 *ViewSonic Corp. v. Chunghwa Picture Tubes,*
23 *Ltd., et al., No. 14-cv-02510.*

**[PROPOSED] ORDER GRANTING
DEFENDANT BEIJING MATSUSHITA
COLOR CRT CO., LTD.'S MOTION
FOR SUMMARY JUDGMENT FOR
FAILURE TO ADDUCE EVIDENCE
SUFFICIENT TO STATE A CLAIM IN
LIGHT OF THE FTAIA AND FOR
LACK OF STANDING TO SEEK
INJUNCTIVE RELIEF**

Judge: Honorable Samuel Conti
Court: Courtroom 1, 17th Floor
Date: February 6, 2015, 10:00 a.m.

[PROPOSED] ORDER GRANTING SUMMARY JUDGMENT

This matter has come before the Court to determine whether summary judgment pursuant to Fed. R. Civ. P. 56 should be granted to Defendant Beijing Matsushita Color CRT Co. Ltd. (**BMCC**) in the above-captioned matters. After full consideration of the evidence and arguments submitted by the parties, the Court finds that there is no triable issue of any material fact and that application of the law to the undisputed facts entitles BMCC to summary judgment. It is, therefore,

ORDERED, ADJUGED AND DECREED THAT:

The claims in *Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.*, 11-cv-05513-SC, Master File 07-cv-05944, MDL 1917 are dismissed with prejudice with respect to BMCC including:

- a. First Claim (Sherman Act)
- b. Second Claim (Minnesota Antitrust Act)

The claims in *Electrograph Sys., Inc., et al. v. Hitachi, Ltd., et al.*, 11-cv-01656, Master File 07-cv-05944, MDL 1917 are dismissed with prejudice with respect to BMCC, including:

- a. First Claim (Sherman Act)
- b. Second Claim (California Cartwright Act)
- c. Third Claim (California Unfair Competition Laws)
- d. Fourth Claim (New York Donnelly Act)
- e. Fifth Claim (New York Unfair Competition Law)

The claims in *Sears, Roebuck & Co., et al. v. Chunghwa Picture Tubes, Ltd., et al.*, 11-cv-5514, Master File 07-cv-05944, MDL 1917 are dismissed with prejudice with respect to BMCC, including:

- a. First Claim (Sherman Act)

b. Second Claim (California Cartwright Act)

c. Third Claim (State Antitrust Laws)

The claims in *Target Corp. v. Chunghwa Picture Tubes, Ltd.*, 11-cv-5514, Master File 07-cv-05944, MDL 1917 are dismissed with prejudice with respect to BMCC, including:

a. First Claim (Sherman Act Section 1)

The claims in *Tech Data Corp., et al. v. Hitachi, Ltd., et al.*, 13-cv-00157 Master File 07-cv-05944, MDL 1917 are dismissed with prejudice with respect to BMCC, including:

a. First Claim (Sherman Act Section 1)

b. Second Claim (Florida Deceptive and Unfair Trade Practices Act)

c. Third Claim (California Cartwright Act)

d. Fourth Claim (California Unfair Competition Law)

The claims in *ViewSonic Corp. v. Chunghwa Picture Tubes, Ltd., et al.*, 13-cv-00157 Master File 07-cv-05944, MDL 1917 are dismissed with prejudice with respect to BMCC, including:

a. First Claim (Sherman Act Section 1)

The claims by the *Indirect Purchaser Plaintiff Class* in Master File 07-cv-05944, MDL 1917 are dismissed with prejudice with respect to BMCC, including:

b. First Claim (Sherman Act Section 1)

c. Second Claim (State Antitrust Statutes)

d. Third Claim (State Consumer Protection and Unfair Competition)

e. Fourth Claim (State Unjust Enrichment and Disgorgement of Profits)

IT IS HEREBY ORDERED that Defendant BMCC's motion for summary judgment is granted and that judgment will be entered in favor of BMCC and against Best Buy Co., Inc. et al.; Electrograph Systems, Inc. et al.; Sears, Roebuck & Co. et al.; Target Corp.; Tech Data Corp. et al.; ViewSonic Corp.; and the Indirect Purchaser Plaintiffs.

1 **IT IS SO ORDERED**

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3 Dated:

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5 Hon. Samuel Conti
6 United States District Judge
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